

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY )  
AVERAGE WHOLESALE PRICE )  
LITIGATION )  
\_\_\_\_\_ )

MDL No. 1456

CIVIL ACTION:

Judge Patti B. Saris

Chief Mag. Judge Marianne B. Bowler

**DECLARATION OF SCOTT A. GEORGE**

Scott A. George, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of Sheller Ludwig & Badey, P.C., attorneys for Plaintiffs. I submit this declaration of my own personal knowledge in support of Plaintiffs' Motion to Compel McKesson Corporation to Provide Production of Documents
2. February 16, 2004 Plaintiffs served a Subpoena to produce documents on McKesson Corporation. A true and correct copy of the Subpoena served on that date is attached hereto as Exhibit A.
3. On March 15, 2004 McKesson served Objections to Plaintiffs subpoena. A true and correct copy of McKesson's Objections are attached hereto as Exhibit B.
4. May 5, 2004 Plaintiffs served an Amended Subpoena to produce documents only adding additional Identified Drugs in the appendix. A true and correct copy of the Amended Subpoena served on that date is attached hereto as Exhibit C.
5. I have recreated a log of all communications between myself and McKesson's counsel. A true and correct copy of this log is attached at Exhibit D.

6. I have also contacted McKesson's counsel *via* mail and e-mail on several occasions and have received limited responses. This correspondence is attached at Exhibit E.

I declare the foregoing to be true under the penalty of perjury.

Philadelphia, Pennsylvania  
August 16, 2004

By 

Scott George  
Sheller Ludwig & Badey, P.C.  
1528 Walnut Street  
3rd Floor  
Philadelphia, PA 19102  
Telephone: (215) 790-7300  
Facsimile: (215) 546-0942